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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,054	06/22/2001	Katsumi Kimoto	P 281378 50G31939-USA-AT	5646

909 7590 10/04/2002

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EXAMINER

ST CYR, DANIEL

ART UNIT PAPER NUMBER

2876

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/886,054

Applicant(s)

KIMOTO ET AL.

Examiner

Daniel St.Cyr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/22/01.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claims 1, 5, are objected to because of the following informalities:

Claim 1, line 12, "the" before "result" should be changed to --a--.

Claim 5, line 6, "it is revealed that" should be deleted.

Claim 7, last line "the" before "reverse" should be changed to --a--.

Claim 8, lines 12 and 33, "the" before "result" should be changed to --a--.

Claim 10, line 5-6, "it is revealed that" should be deleted.

Claim 15, line 6, "it is revealed that" should be deleted.

Claim 18, lines 9 and 22, "the" before "result" should be changed --a-- and lines 12 and 14, "the" before "first" and "second" should be changed --a--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

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122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-3, 6, 7, 11-13, 16, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Sweatte, US Patent No. 6,335,688.

Sweatte discloses a method and system for airport security comprising: a check-in counter 3 for passengers to scan their passport, the passenger is also required to submit to a positive ID check. This ID check is in the form of a fingerprint scan, an eye retinal scan, a hand scan, a palmprint, a hand scan, a finger length scan, or any other positive identification means including DNA or other means for positive identification. After the passenger has had positive ID data taken, a PASS system optionally takes a current photo of the passenger, and presents all the data to a computer data base. At this point, the data can be checked against Police, Department of Motor Vehicles (DMV), FBI, INTERPOL, immigration, customs, postal service, or other databases. If law enforcement databases are remote from the airport, the data can be transmitted by modem, LAN, WAN, Internet, or any data transmission other means (see figures 1 and 2; col. 4, line 27+).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

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claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sweatte in view of Bravman et al, US Patent No. 5,866,888. The teachings of Sweatte have been discussed above.

Sweatte fails to disclose or fairly suggests that individual information are recorded/printed on the travel document.

Bravman et al disclose travel security luggage control system, which includes a printer 33a to print/record ID bar code 101 on the boarding pass (see col. 11, lines 34-56).

In view of Bravman's teachings, it would have been obvious for a person of ordinary skill in the art at the time the invention to incorporate a printer into the system of Sweatte for providing an alternate means for storing information to identify passengers. Such modification would make the system more versatile, wherein such alternate means would provide code ID to identify the passengers in case of malfunction of the wireless and/or magnetic stripe interface provided on the pass/smart card. Therefore, it would have been an obvious extension as taught by Sweatte.

7. Claims 5, 8-10, 15, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sweatte. The teachings of Sweatte have been discussed above.

Sweatte disclose that additional identification check point could be performed, but does

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not disclose a second check point in a direction reverse from the first direction. However, the direction of the identified passengers falls within the realm of engineering design choice to meet a specific location, which does not provide any unexpected results. Furthermore, having a plurality of check point to identify the passengers is a form of duplication of elements.

Therefore, it would have been an obvious extension as taught by Sweatte.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Graham, US Patent No. 5,367,319, discloses a security protection for important document and papers. Barclay, US Patent No. 6,158,658, discloses a system and method for matching passenger and their luggage. Burger, US Patent No. 6,219,439, discloses a biometric authentication system. Graves, US Patent No. 6,454,173, discloses a Smart card technology.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 703-305-2656. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

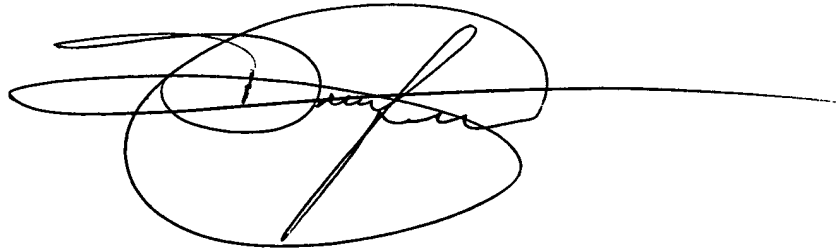
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Daniel St.Cyr
Examiner
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DS
September 30, 2002

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.